



**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

WESTCHESTER FIRE INSURANCE COMPANY	:	
as subrogee of JURYS DOYLE HOTEL GROUP	:	
USA, LTD. d/b/a JURYS DOYLE HOTEL, LLC	:	CIVIL ACTION NO. 05-cv-11375-MLW
	:	
Plaintiff	:	
	:	
v.	:	
	:	<b><u>JURY TRIAL DEMANDED</u></b>
DJ PLUMBING & HEATING, INC.	:	
	:	
Defendant	:	

**AFFIDAVIT OF PATRICK J. LOFTUS, III**

Patrick J. Loftus, III, Esquire, being duly sworn, deposes and says as follows:

I am an attorney duly licensed to practice law in the State of Massachusetts, and an attorney for the Plaintiff, Westchester Fire Insurance Company, in the above-entitled action.

I am fully familiar with the facts and circumstances as hereinafter set forth, and make this Affidavit in support of the Plaintiff's motion to have Kevin J. Hughes, Esquire and Sean P. O'Donnell, Esquire, admitted of counsel, *Pro Hac Vice*, with respect to the above-entitled action.

The affiant has been acting as local counsel with respect to this matter, and respectfully requests that the Court allow Kevin J. Hughes, Esquire and Sean P. O'Donnell, Esquire to be admitted *Pro Hac Vice* for purposes of serving as counsel for Plaintiff, Westchester Fire Insurance Company.

The affiant has known Mr. Hughes and Mr. O'Donnell to be excellent attorneys who have a great deal of experience with respect to the issues being presented in

the present lawsuit and are members in good standing of the Bar of the Commonwealth of Pennsylvania.

The affiant respectfully submits to the Court that Mr. Hughes and Mr. O'Donnell are not only excellent attorneys, but are persons of unimpeachable character who would do justice to both their client and the Bar. The Court is respectfully referred to the attached Affidavits regarding Mr. Hughes' and Mr. O'Donnell's qualifications with the respect to the subject claims.

The affiant respectfully requests that Kevin J. Hughes, Esquire and Sean P. O'Donnell, Esquire be admitted *Pro Hac Vice* in the above-entitled action to serve as counsel with respect to the subject claims.

WHEREFORE, Patrick J. Loftus, III, Esquire respectfully requests that the Court grant an Order allowing the admission, *Pro Hac Vice*, of Kevin J. Hughes, Esquire and Sean P. O'Donnell, Esquire to the United States District Court for the District of Massachusetts and to practice with respect to the above-captioned action, together with such

other and further relief as the Court may deem just and proper.

BY: : \s\ Patrick J. Loftus, III  
PATRICK J. LOFTUS III, ESQUIRE  
BBO #303310  
No. 9 Park Street  
Suite 500  
Boston, MA 02108  
617-723-7700

ATTORNEY FOR PLAINTIFF

Sworn to and subscribed

before me on this       day

of                               , 2006.

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF SERVICE**

I, PATRICK J. LOFTUS, III, hereby certify that a copy of the foregoing Plaintiff's Motion for Pro Hac Vice has been served upon counsel this \_\_\_\_\_ day of March , 2006 by First Class Mail, postage pre-paid as follows:

John Stadler, Esquire  
J. Alexander Concepción, Esquire  
Nixon Peabody LLP  
100 Summer Street  
Boston, MA 02110-2131

BY: \s\ Patrick J. Loftus, III  
PATRICK J. LOFTUS III, ESQUIRE  
BBO #303310  
No. 9 Park Street  
Suite 500  
Boston, MA 02108  
617-723-7700

**OF COUNSEL:**  
COZEN O'CONNOR  
KEVIN J. HUGHES, ESQUIRE  
SEAN P. O'DONNELL, ESQUIRE  
1900 Market Street  
Philadelphia, PA 19103  
(215) 665-2000  
(215) 665-2013 (facsimile)  
[khughes@cozen.com](mailto:khughes@cozen.com)  
[sodonnell@cozen.com](mailto:sodonnell@cozen.com)

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as subrogee of JURYS DOYLE HOTEL GROUP	:	
USA, LTD. d/b/a JURYS DOYLE HOTEL, LLC	:	CIVIL ACTION NO. 05-cv-11375-MLW
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Plaintiff	:	
	:	
v.	:	
	:	<b><u>JURY TRIAL DEMANDED</u></b>
DJ PLUMBING & HEATING, INC.	:	
	:	
Defendant	:	

**AFFIDAVIT OF KEVIN J. HUGHES**

COMMONWEALTH OF PENNSYLVANIA :  
:  
COUNTY OF PHILADELPHIA: :

I, Kevin J. Hughes, Esquire, being duly sworn, depose and say:

1. I am a resident of the Commonwealth of Pennsylvania and was admitted by the Supreme Court of Pennsylvania to the bar of the Commonwealth of Pennsylvania on November 19, 1987. I am also a member of the bar of the State of New Jersey as well as the United States District Court for the Eastern and Middle Districts of Pennsylvania and District of New Jersey.
2. I am currently associated with the law firm of Cozen O'Connor, The Atrium, 1900 Market Street, Philadelphia, Pennsylvania.
3. I am a member in good standing of the bar of the Commonwealth of Pennsylvania and am duly licensed and admitted to practice law within the Commonwealth

of Pennsylvania, having an Attorney Identification No. 50238. A copy of my Certificate of Good Standing is attached hereto as Exhibit "A".

4. No disciplinary proceedings or criminal charges have ever been instituted against me in the Commonwealth of Pennsylvania or any other state.

5. There has been an attorney-client relationship between the plaintiff and my firm for an extended period of time.

5. My client has specifically requested that I represent its interests in this matter.

6. The nature of this action involves complex legal and factual issues in a complex field of law with which I am completely familiar since I have handled many of these types of cases in the past and have developed an expertise in these matters.

7. If the Court shall allow my Motion to Appear Pro Hac Vice in the above-captioned matter, I will continue to represent my client in this proceeding until the final determination thereof, and with reference to all matters, incidents or proceedings, I agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court and the Massachusetts state bar in all respects as if I were regularly admitted and a licensed member of the Bar of the State of Massachusetts in good standing.

8. The Commonwealth of Pennsylvania grants the privilege of *Pro Hac Vice* admissions to members of the bar of Massachusetts in good standing.

9. I am associated and have personally appearing with me in these proceedings, Patrick J. Loftus, III, Esquire, an attorney who is duly and legally admitted to practice in both the State of Massachusetts and the United States District Court for Massachusetts, and upon whom service may be had in all matters connected with the above-

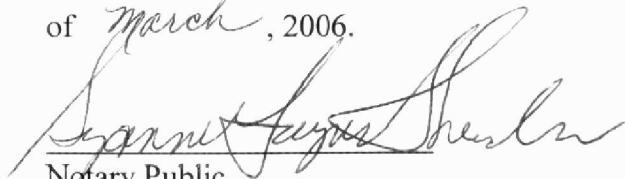
captioned cause, to any disciplinary matter arising out of the same, with the same effect as if personally made on me within the Commonwealth of Pennsylvania.

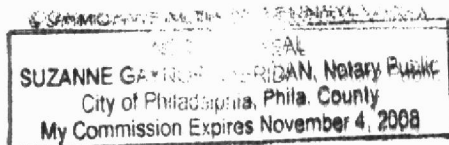
10. I certify that all of the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
\_\_\_\_\_  
KEVIN J. HUGHES

Sworn to and subscribed

before me on this / day  
of *March*, 2006.

  
\_\_\_\_\_  
Notary Public







Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Kevin John Hughes, Esq.***

**DATE OF ADMISSION**

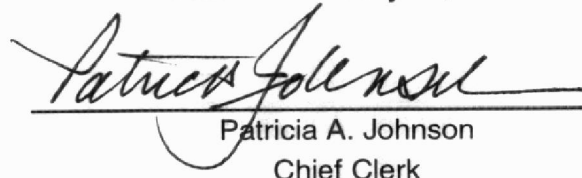
***November 19, 1987***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: February 23, 2006**

  
Patricia A. Johnson  
Chief Clerk

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FOR THE DISTRICT OF MASSACHUSETTS**

WESTCHESTER FIRE INSURANCE COMPANY	:	
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Plaintiff	:	
	:	
v.	:	
	:	<b><u>JURY TRIAL DEMANDED</u></b>
DJ PLUMBING & HEATING, INC.	:	
	:	
Defendant	:	

**AFFIDAVIT OF SEAN P. O'DONNELL**

COMMONWEALTH OF PENNSYLVANIA :  
:  
COUNTY OF PHILADELPHIA: :

I, Sean P. O'Donnell, Esquire, being duly sworn, depose and say:

1. I am a resident of the Commonwealth of Pennsylvania and was admitted by the Supreme Court of Pennsylvania to the bar of the Commonwealth of Pennsylvania on December 4, 1995. I am also a member of the bar of the State of New Jersey, the United States District Courts for the Eastern and Middle Districts of Pennsylvania and the District of New Jersey.

2. I am currently associated with the law firm of Cozen O'Connor, The Atrium, 1900 Market Street, Philadelphia, Pennsylvania.

3. I am a member in good standing of the bar of the Commonwealth of Pennsylvania and am duly licensed and admitted to practice law within the Commonwealth

of Pennsylvania, having an Attorney Identification No. 76533. A copy of my Certificate of Good Standing is attached hereto as Exhibit "A".

4. No disciplinary proceedings or criminal charges have ever been instituted against me in the Commonwealth of Pennsylvania or any other state.

5. There has been an attorney-client relationship between the plaintiff and my firm for an extended period of time.

6. My client has specifically requested that I represent its interests in this matter.

7. The nature of this action involves complex legal and factual issues in a complex field of law with which I am completely familiar since I have handled many of these types of cases in the past and have developed an expertise in these matters.

8. If the Court shall allow my Motion to Appear *Pro Hac Vice* in the above-captioned matter, I will continue to represent my client in this proceeding until the final determination thereof, and with reference to all matters, incidents or proceedings, I agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court and the Massachusetts state bar in all respects as if I were regularly admitted and a licensed member of the Bar of the State of Massachusetts in good standing.

9. The Commonwealth of Pennsylvania grants the privilege of *Pro Hac Vice* admissions to members of the bar of Massachusetts in good standing.

10. I am associated and have personally appearing with me in these proceedings, Patrick J. Loftus, III, Esquire, an attorney who is duly and legally admitted to practice in both the State of Massachusetts and the United States District Court for Massachusetts, and upon whom service may be had in all matters connected with the above-

captioned cause, to any disciplinary matter arising out of the same, with the same effect as if personally made on me within the Commonwealth of Pennsylvania.

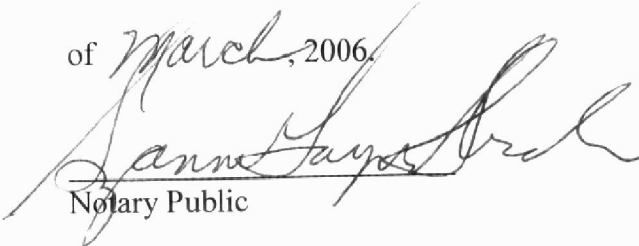
11. I certify that all of the foregoing statements made by me are true, I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

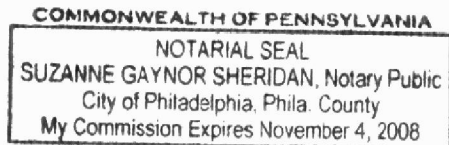
  
SEAN P. O'DONNELL

Sworn to and subscribed

before me on this / day

of March, 2006.

  
Notary Public





Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Sean P. O'Donnell, Esq.***

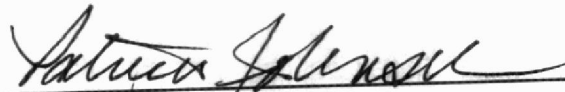
**DATE OF ADMISSION**

***December 4, 1995***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal  
Dated: February 23, 2006**

  
Patricia A. Johnson  
Chief Clerk



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BBO #303310  
No. 9 Park Street  
Suite 500  
Boston, MA 02108  
617-723-7700

ATTORNEY FOR PLAINTIFF

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\_\_\_\_\_  
Notary Public

**CERTIFICATE OF SERVICE**

I, PATRICK J. LOFTUS, III, hereby certify that a copy of the foregoing Plaintiff's Motion for Pro Hac Vice has been served upon counsel this \_\_\_\_\_ day of March , 2006 by First Class Mail, postage pre-paid as follows:

John Stadler, Esquire  
J. Alexander Concepción, Esquire  
Nixon Peabody LLP  
100 Summer Street  
Boston, MA 02110-2131

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PATRICK J. LOFTUS III, ESQUIRE  
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**OF COUNSEL:**  
COZEN O'CONNOR  
KEVIN J. HUGHES, ESQUIRE  
SEAN P. O'DONNELL, ESQUIRE  
1900 Market Street  
Philadelphia, PA 19103  
(215) 665-2000  
(215) 665-2013 (facsimile)  
[khughes@cozen.com](mailto:khughes@cozen.com)  
[sodonnell@cozen.com](mailto:sodonnell@cozen.com)